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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
MARIA CONSUELO MACHUCA  
ZUNIGA,  
a/k/a Maria Consuelo Gomez,  
Defendant.

No. CR 08-00087 RS

STIPULATION AND [PROPOSED]  
ORDER CONTINUING HEARING DATE  
AND EXCLUDING TIME

SAN JOSE VENUE

The undersigned parties in the above-captioned case respectfully request that the status hearing scheduled for March 27, 2008 to be continued to April 10, 2008. The reason for the continuance is to allow the government to provide discovery to defense counsel and to afford her an opportunity to review it. The parties also request an exclusion of time under the Speedy Trial Act from March 27, 2008 until April 10, 2008. The undersigned parties agree and stipulate that

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1 an exclusion of time is appropriate based on the defendant's need for effective preparation of  
2 counsel.

3 SO STIPULATED:

JOSEPH P. RUSSONIELLO  
United States Attorney

5 DATED: 3/25/08

\_\_\_\_\_/s/  
SUSAN KNIGHT  
Assistant United States Attorney

7 DATED: 3/25/08

\_\_\_\_\_/s/  
Assistant Federal Public Defender  
Counsel for the defendant

11 Accordingly, for good cause shown, the Court HEREBY ORDERS that the status hearing  
12 scheduled for March 27, 2008 is continued to April 10, 2008 at 11:00 a.m.

13 The Court FURTHER ORDERS that time be excluded under the Speedy Trial Act from  
14 March 27, 2008 to April 10, 2008. The Court finds, based on the aforementioned reasons, that  
15 the ends of justice served by granting the requested continuance outweigh the best interest of the  
16 public and the defendant in a speedy trial. The failure to grant the requested continuance would  
17 deny defense counsel reasonable time necessary for effective preparation, taking into account the  
18 exercise of due diligence, and would result in a miscarriage of justice. The Court therefore  
19 concludes that this exclusion of time should be made under 18 U.S.C. §§ 3161(h)(8)(A) and  
20 (B)(iv).

21 SO ORDERED.

23 DATED: \_\_\_\_\_

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RICHARD SEEBORG  
United States Magistrate Judge